

PUBLIC NOTICE

CITY OF PROVIDENCE

ZONING BOARD OF REVIEW

190 DYER STREET

PROVIDENCE, RHODE ISLAND 02903-3902

Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall, 25 Dorrance Street on Monday, October 5, 2009, at 5:30 P.M. and 7:00 P.M. when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:

5:30 P.M.

Pursuant to Section 906, correspondence has been received requesting a six-month extension of the following matter:

WALTER L. BRONHARD: 140 Pitman Street, Lot 244 on the Tax Assessor's Plat 15 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 303-use code 14 and 703.2 in the proposed alteration of the existing building and change in its use from a nursing home to a multi-family apartment building containing 30 residential units. The applicant is requesting a use variance for the proposal within the R-3 district, and a dimensional variance relating to the parking requirement; whereby, 45 parking spaces are required, 39 spaces would be provided. The lot in question contains approximately 26,357 square feet of land area.

NEW MATTERS

FRANK SIMEONE, III AND DEBORAH A. SIMEONE: 307 Branch Avenue (corner Metcalf Street), Lots 326 and 327 on the Tax Assessor's Plat 72 located in a Residential R-3 Three-Family Zone; to be relieved from Section 303-use code 43 in the proposed change in use of the first floor of the existing building from a day care facility to a business office. The existing dwelling unit comprising the second and third floors will remain unchanged. The applicant is requesting a use variance for the office use in the R-3 district. The lots in question contain approximately 8,830 square feet of land area.

BUILDING NONVIOLENCE, LLC: 265-275 Oxford Street, Lots 1095 & 753 on the Tax Assessor's Plat 48 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 303-use code 43 and 703.2. The existing building located on the subject property was previously used as a hospital treatment center and currently sits vacant. The applicant proposes to rehabilitate the structure and to use it for an office building, which requires a use variance. Relief is requested from regulations governing permitted uses; whereby, commercial uses are not allowed in the R-3 district, and further relief is being sought from the parking provisions, a dimensional variance; whereby, 35 on-site parking spaces are required and 2 on-site spaces would be provided. The lots in question together contain approximately 17,080 square feet of land area.

GOULDING PROPERTIES, LLC, OWNER & APPLICANT AND SNOOKERS, INC., LESSEE: 53 Ashburton Street, Lot 622 on the Tax Assessor's Plat 2 located in an Industrial M-1 Zone; to be relieved from Sections 303-use codes 34 & 58, 607.6 and 703.2. The existing building located on the subject property was previously used as a manufacturing welding shop, fabrication and storage and is under rehabilitation. The current permitted use of the property is a restaurant and the applicant wishes to include a billiard club within the restaurant space, which requires a special use permit in the M-1 district. The applicant further proposes to install a freestanding identification sign in the front yard measuring 170 square feet with a secondary sign attached to the main sign pole measuring 29.5 square feet. Additional relief is being sought from the provisions for parking whereby, the applicant seeks to increase the occupancy load from 148 seats to 195 seats, which requires an additional 12 parking spaces that cannot be provided on-site. A dimensional variance is being sought for relief from the sign provisions and the parking requirement. The lot in question contains approximately 22,914 square feet of land area.

DAVID PENTA: 517 & 521 Admiral Street, Lots 58 & 59 on the Tax Assessor's Plat 123 located in a Residential R-2 Two-Family Zone; to be relieved from Sections 204.2 and 304.4 in the proposed construction of a 26' x 30' single-family dwelling on Lot 58 (517 Admiral St.), which contains 3,710 square feet of land area. The

existing two-family dwelling on Lot 59 (521 Admiral St.) containing 3,633 square feet of land area will remain unchanged. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet in area and are under the same ownership on or any time after October 24, 1991, such lots shall be considered to be one lot and undivided for the purpose of the Ordinance. In this instance, both lots are substandard in size and are recorded under the same ownership; therefore, the applicant is requesting a dimensional variance in order to retain the lots separately and to construct a one-family dwelling on Lot 58. Further, the applicant seeks relief from regulations governing the front yard setback requirement for averaging setbacks as per Section 304.4.

7:00 P.M.

CHARLES PEMBERTON: 8 Myrtle Street, Lot 65 on the Tax Assessor's Plat 23 located in a Residential R-3 Three-Family Zone; to be relieved from Section 201.6 in the proposed use of a portion of the basement of the existing three-family dwelling for living space to be combined with the first floor dwelling unit. The applicant is requesting a dimensional variance relating to the legal nonconforming use of this building; whereby as per Section 201.6, it states that a nonconforming use of a building or structure shall not be expanded into any other portion of the building or structure which contains a conforming use or which is unoccupied or unused. The

lot in question contains approximately 5,000 square feet of land area.

24 WHIPPLE, LLC, OWNER AND JOHN MONGELLI, APPLICANT: 733 Charles Street, Lot 372 on the Tax Assessor's Plat 97 located in a Residential R-1 One-Family Zone; to be relieved from Sections 414.4, 704.2(A) and 704.2(D). The applicant is seeking a dimensional variance and proposes to open the front wall of the basement in order to provide a garage beneath the existing two-family structure. Relief is being sought from regulations governing front yard setback to the garage door, and lots having more than one driveway and curb cut. The lot in question contains approximately 3,905 square feet of land area.

KRISEL BAUMET: 48 McKinley Street, Lot 124 on the Tax Assessor's Plat 89 located in a Residential R-2 Two-Family Zone; to be relieved from Section 303-use code 42 in the proposed alteration of the first floor of the existing two-family structure by removing the dwelling unit and providing for a beauty salon. The existing dwelling unit comprising the second and third floors will remain unchanged. The applicant is requesting a use variance for the beauty salon because commercial uses are not permitted within the R-2 district. The lot in question contains approximately 4,000 square feet of land area.

THE ZONING BOARD OF REVIEW WILL BE INSPECTING THE ABOVE

PROPERTIES STARTING AT 9:30 A.M. ON MONDAY, OCTOBER 5, 2009.

LA JUNTA DE REVISIONES DE ZONA ESTARA HACIENDO INSPECCIONES SOBRE ESTAS PROPIEDADES EMPESANDO A LAS 9:30 A.M. EL LUNES, OCTUBRE 5, 2009.

THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.

THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.

ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRETION DE LA JUNTA DE REVISIONES DE ZONA.

LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.

PETER D. CARNEVALE, SECRETARY

(401) 421-7740 EXT. 376

YEAR 2009

SCHEDULE OF MONTHLY MEETINGS

LOCATION OF MEETINGS (UNLESS OTHERWISE ANNOUNCED)

**PROBATE COURT CHAMBER, FIFTH FLOOR, PROVIDENCE CITY
HALL**

25 DORRANCE STREET

PROVIDENCE, RHODE ISLAND

Wednesday, January 14, 2009 at 5:30 P.M.

Monday, February 23, 2009 at 5:30 P.M.

Monday, March 23, 2009 at 5:30 P.M.

Monday, April 27, 2009 at 5:30 P.M.

Tuesday, May 26, 2009 at 5:30 P.M.

Monday, June 22, 2009 at 5:30 P.M.

Monday, July 20, 2009 at 5:30 P.M.

Wednesday, September 9, 2009 at 5:30 P.M.

Monday, October 5, 2009 at 5:30 P.M.

Monday, October 26, at 5:30 P.M.

Monday, November 23, 2009 at 5:30 P.M.

Monday, December 28, 2009 at 5:30 P.M.

Any change in dates will be noticed in writing and/or e-mailed to the Office of the Providence City Clerk and the Office of the Rhode Island Secretary of State.

**The Office of the Zoning Board of Review is located at
190 Dyer Street, Providence, RI 02903-3902**

Board Meetings are held at the Probate Court Chamber, Providence City Hall.

Peter D. Carnevale

Secretary

(401) 421-7740 ext. 376